

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL ACTION NO. 3:20-CR-00447-KDB-DCK-1**

UNITED STATES OF AMERICA,

v.

DONTAY LAFON ARMSTRONG,

Defendant.

ORDER

THIS MATTER is before the Court on Defendant Dontay Lafon Armstong's *pro se* motion for compassionate release and reduction in sentence under 18 U.S.C. § 3582(c)(1) and the First Step Act of 2018. (Doc. No. 78). Having carefully reviewed the Defendant's motion and all other relevant portions of the record, the Court will deny his motion without prejudice to a renewed motion properly supported by medical evidence.

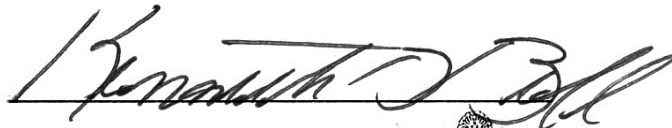
Defendant is a 45-year-old male serving his prison sentence at FCI Edgefield in South Carolina. He is serving a sentence of a total of 240 months of imprisonment followed by 5 years of supervised release. (Doc. No. 52). According to the Bureau of Prisons website, his scheduled release date is February 4, 2037. Defendant bases his motion on a severe immune system malfunction due to receiving treatment for stomach cancer and that he had surgery to remove half of his stomach, the head of his pancreas, his gall bladder, one-third of his intestine and half of his bile duct. (Doc. No. 78, Attachment 1 at 3). According to his Presentence Investigation Report that was filed on April 20, 2021, Defendant self-reported that he has chronic medical issues related to seizures and a stomach tumor and was receiving medication to treat his seizures. (Doc. No. 49, ¶ 83). Additionally, he was treated in Charlotte, North Carolina for cancer in 2015. *Id.* Defendant

fails to provide adequate BOP medical records to substantiate his medical claims and therefore, there is no extraordinary and compelling reason for a sentence reduction.

For these reasons, Defendant's *pro se* motion for compassionate release and reduction in sentence under 18 U.S.C. § 3582(c)(1) and the First Step Act of 2018, (Doc. No. 78), is **DENIED** without prejudice to a renewed motion properly supported by medical evidence.

SO ORDERED.

Signed: November 21, 2022

A handwritten signature in dark ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

